



NEW ATTORNEY DOCKET 14945.0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Simon BENITA et al

Confirmation No. 4640

Serial No. 10/787,122

Filed: February 27, 2004

For: DRUG DELIVERY SYSTEM

RESPONSE TO NOTICE TO FILE MISSING PARTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice To File Missing Parts mailed August 11, 2004, the following is submitted herewith:

1. Declaration And Power Of Attorney (4 pages); and
2. copy of Notice To File Missing Parts.

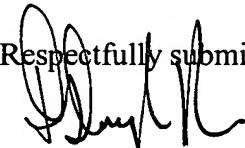
Also enclosed is a copy of the substitute Preliminary Amendment filed April 7, 2004, together with a copy of the accompanying Letter and date-stamped postcard receipt. The substitute Preliminary Amendment was filed in order to correct typographical errors and to delete multiple dependencies appearing in the Preliminary Amendment filed February 27, 2004.

Since the multiple dependencies have been deleted, it is submitted that no additional fee is due. Should this be incorrect, the Commissioner is hereby authorized to charge any fees to Deposit Account 19-4293.

Please note the change of attorney docket number to 14945.0001 to be applied to the present application.

In view of the foregoing, early action on the merits is respectfully requested.

Respectfully submitted,


D. Douglas Price
Reg. No. 24,514

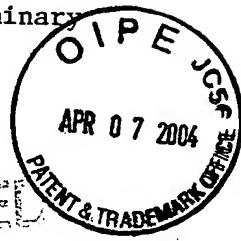
STEPTOE & JOHNSON LLP
1330 Connecticut Ave., NW
Washington, DC 20036
Tel: 202-429-6748 (direct)



Atty. Dkt. 14945.0001
Applicant: BENITA, S. et al
Serial No. 10/787,122
Date: April 5, 2004

The Patent and Trademark Office date stamped hereon is acknowledgment that the items listed below were received by the PTO on the date stamped:

1. Letter Submitting Substitute Preliminary Amendment
2. Preliminary Amendment
3. Certificate of Mailing
4. Return receipt postcard



DOCKETED

ATTY. DKT. 14945.0001
(replaces 14590.0001)



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In re the Application of

Simon BENITA et al

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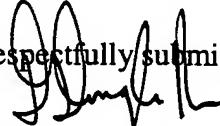
**LETTER SUBMITTING
SUBSTITUTE PRELIMINARY AMENDMENT**

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a substitute Preliminary Amendment which is being filed in order to replace the Preliminary Amendment filed February 27, 2004. The Preliminary Amendment filed February 27, 2004 contains typographical errors and does not delete all of the multiple dependencies. Thus, it is respectfully requested that the Preliminary Amendment filed February 27, 2004 be cancelled and the Preliminary Amendment submitted herewith be substituted therefor.

Respectfully submitted,


D. Douglas Price
Reg. No. 24,514

STEPTOE & JOHNSON LLP
1330 Connecticut Ave., NW
Washington, DC 20036
Tel: 202-429-6748



UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/787,122	02/27/2004	Simon Benita	14590.0002

Douglas Price
Steptoe & Johnson
BOX PTO
1330 Connecticut Avenue, NW
Washington, DC 20036

CONFIRMATION NO. 4640
FORMALITIES LETTER



OC000000013508474

Date Mailed: 08/11/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$145** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$145** for a Small Entity

- Total additional claim fee(s) for this application is **\$145**
 - **\$145** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents

P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

C. Dunn

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE